

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEFFREY MYERS,

Plaintiff(s),

v.

EXPERIAN INFORMATION SOLUTIONS,
 INC., et al.,

Defendant(s).

Case No. 2:23-cv-01449-JAD-NJK

ORDER

On October 31, 2023, Plaintiff filed a notice of settlement with Defendant Pentagon Federal Credit Union Foundation indicating that dismissal papers would be filed within 60 days. Docket No. 12. Dismissal papers were not filed. On April 18, 2024, the Court ordered Plaintiff to file dismissal papers with respect to Defendant Pentagon Federal Credit Union Foundation by May 10, 2024. Docket No. 20. Dismissal papers were not filed and there was no response to that order. Pending before the Court now is an order to show cause why attorneys George Haines and Gerardo Avalos should not be sanctioned. Docket No. 26. The order to show cause finally prompted some action and a response. Docket No. 28.

The gist of the response to the order to show cause is that a series of calendaring issues and staffing problems led to the multiple failures identified above. *See id.* The problem with these excuses is that this is not an isolated occurrence. *See, e.g., Villamor v. Experian Information Solutions*, No. 2:23-cv-00327-JAD-NJK, Docket No. 21 (D. Nev. Oct. 26, 2023). If counsel continue to choose to litigate cases in this forum, then they have an obligation to exercise due care and reasonable professional diligence in each of those cases. *Carisbrook Asset Holding Tr. v. SFR Invs. Pool 1, LLC*, 2019 WL 2393614, at *3 n.2 (D. Nev. June 6, 2019). The Court will not impose monetary sanctions in this case, but counsel should expect that similar issues arising in the future in any of their cases within this District will result in the imposition of monetary

1 sanctions. *See, e.g., Garcia v. GEICO Cas. Co.*, 2014 WL 7474773, at *3-4 (D. Nev. Jan. 6, 2014)
2 (addressing need for more serious repercussions when similar misconduct continues in the future).
3 For the time-being, however, the Court **ADMONISHES** attorneys George Haines and Gerardo
4 Avalos.

5 The order to show cause is otherwise **DISCHARGED**.

6 IT IS SO ORDERED.

7 Dated: June 3, 2024

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11 Nancy J. Koppe
12 United States Magistrate Judge
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